

[Counsel listed on following page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ASHLEY GJOVIK,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 23-cv-4597-LB

**STIPULATION AND [PROPOSED]
ORDER TO (1) ENLARGE TIME TO
FILE RESPONSIVE PLEADING, (2)
SET DEADLINE TO FILE AMENDED
COMPLAINT AND RESPONSIVE
PLEADING, (3) PERMIT AND SET
DEADLINE FOR SECOND AMENDED
COMPLAINT, AND (4) SET DEADLINE
FOR RESPONSE TO SECOND
AMENDED COMPLAINT AND
FURTHER BRIEFING (IF NEEDED)**

[N.D. CAL. CIV. L.R. 6-2]

Dept: Courtroom B, 15th Floor
Judge: Honorable Laurel Beeler

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Attorneys for Defendant
Apple Inc.

STIP. AND [PROPOSED] ORDER RE:
RESPONSIVE PLEADING DEADLINE AND
ADDITIONAL DEADLINES
CASE NO. 23-cv-4597-LB

1 Plaintiff Ashley Gjovik (“Plaintiff”) and Defendant Apple Inc. (“Defendant”) hereby
2 stipulate as follows:

3 WHEREAS, Plaintiff filed a Complaint on September 7, 2023 against Defendant alleging
4 claims under: (1) the Sarbanes-Oxley Act, (2) the Dodd-Frank Wall Street Reform and Consumer
5 Protection Act, (3) the Bane Civil Rights Act, (4) the Ralph Civil Rights Act, (5) the Racketeer
6 Influenced and Corrupt Organizations Act, (6) California Labor Code § 1102.5, (7) California
7 Labor Code § 98.6, (8) California Labor Code § 6310, (9) wrongful termination in violation of
8 public policy, and (10) intentional infliction of emotional distress (Dkt. 1);

9 WHEREAS, Plaintiff personally served Apple Inc. with a copy of the Summons and the
10 Complaint on September 21, 2023 and thereafter filed a Proof of Service of Summons on
11 September 22, 2023 (Dkt. 8 at 3);

12 WHEREAS, pursuant to Rule 12 of the Federal Rules of Civil Procedure (“FRCP”), the
13 deadline for Defendant to serve and file a Response is currently October 12, 2023. For purposes
14 of this stipulation, “Response” means anything permitted in response to a complaint under the
15 FRCP (including, for example, an answer or a motion under FRCP 12);

16 WHEREAS, Plaintiff emailed Defendant on October 4, 2023 to notify Defendant that she
17 intends to file a First Amended Complaint;

18 IT IS HEREBY STIPULATED by the Parties that Defendant will not file a Response to
19 the Complaint and Plaintiff will instead file a First Amended Complaint on or before October 26,
20 2023;

21 IT IS FURTHER STIPULATED by the Parties that Defendant will file a Response to the
22 First Amended Complaint on or before November 16, 2023;

23 IT IS FURTHER STIPULATED by the Parties that Plaintiff shall have all the same rights
24 to file a Second Amended Complaint under Rule 15 of the Federal Rules of Civil Procedure as if
25 the Second Amended Complaint were the First Amended Complaint;

26 IT IS FURTHER STIPULATED by the Parties that if Defendant responds to the First
27 Amended Complaint with a motion, and if a briefing schedule is necessary, then the following
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1 schedule will apply: Plaintiff will file an opposition on or before December 21, 2023, and
2 Defendant will file a reply on or before January 11, 2024;

3 IT IS FURTHER STIPULATED by the Parties that Plaintiff may file a Second Amended
4 Complaint on or before December 21, 2023, regardless of whether or not it is in response to a
5 motion by Defendant in response to Plaintiff's First Amended Complaint;

6 IT IS FURTHER STIPULATED by the Parties that, if Defendant responds to the First
7 Amended Complaint with a motion and if Plaintiff chooses to file a Second Amended Complaint
8 under Rule 15 of the Federal Rules of Civil Procedure, then Plaintiff will do so on or before
9 December 21, 2023, and Defendant will file a Response to the Second Amended Complaint on or
10 before January 18, 2024;

11 IT IS FURTHER STIPULATED by the Parties that this stipulation does not alter any
12 deadlines currently set by the Court.

13 Respectfully submitted,

14 Dated: October 9, 2023

16 By: /s/ Ashley Gjovik

17 ASHLEY GJOVIK
18 Pro Se Plaintiff

19 Dated: October 9, 2023

ORRICK, HERRINGTON & SUTCLIFFE LLP

21 By: /s/ Jessica R. Perry

22 JESSICA R. PERRY
23 Attorneys for Defendant
24 Apple Inc.

25 **CIVIL LOCAL RULE 5-1(i)(3) ATTESTATION**

26 Per L.R. 5-1(i)(3), I attest the other signatory has concurred in the filing of this document.

27 Dated: October 9, 2023

28 /s/ Jessica R. Perry
Jessica R. Perry

STIP. AND [PROPOSED] ORDER RE:
RESPONSIVE PLEADING DEADLINE AND
ADDITIONAL DEADLINES
CASE NO. 23-cv-4597-LB

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 Dated:

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4 By: _____
5 HON. LAUREL BEELER
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STIP. AND [PROPOSED] ORDER RE:
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